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26 August 1969

## MEMORANDUM FOR THE RECORD

Morning Meeting of 26 August 1969

General Cushman chaired the meeting.

DDI reported that CRS had obtained a video tape of last night's NBC television documentary on the Pueblo case and the intelligence community. The video tape can be shown on request.

DDI distributed copies of a memorandum on the capabilities of Soviet naval coast defense ships. The memorandum was prepared at the Director's request as a result of a recent NSC discussion.

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Maury reported that Mr. Jack Matteson on the staff of the House Subcommittee on Foreign Operations and Government Information said that Chairman John Moss was concerned over reports that the Agency planned to invoke executive privilege in the Green

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Beret case. Maury noted for the record that the Agency had not and did not propose to invoke executive privilege in the case. He pointed out that the question of executive privilege did not arise in the Article 32 investigation which was recently completed in Saigon. The Agency has been alerted to expect Representative Moss to raise the issue of withholding of information when Congress reconvenes. Moss claims to have letters from three Presidents giving assurance that executive privilege will not be invoked by a member of the Executive Branch without prior Presidential approval. Maury expressed the conviction that it would be a serious mistake for the Agency to attempt to invoke executive privilege in the Green Beret case. Mr. Houston noted that the Presidential letters with which he was familiar applied only to testimony before Congress and did not apply to court proceedings.

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Houston reported on the conversation between OGC representative [ ] and JAG Colonel Persons in Saigon. Persons had told [ ] that he had recommended that the Green Beret personnel involved in the Green Beret case be tried by court-martial. Persons speculated however that security considerations might militate against a trial. Houston said that Headquarters had instructed [ ] to inform MACV that the Agency did not plan to invoke executive privilege if the case were brought to trial, and that the Agency's position should not be the cause for an Army decision to avoid a trial on security grounds.

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[ ]

Karamessines reported on his participation in a meeting of the Washington Special Action Group at the San Clemente White House yesterday.

Goodwin reported that Admiral Raborn was scheduled to deliver a talk on intelligence to a meeting of the Council on World Affairs in San Diego in October. The Admiral expressed confidence in his ability to talk about the Agency but invited any support that the Agency felt appropriate. There was a general consensus that assistance should be given.

[ ]

L. K. White

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